

## STATEMENT

### AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION (APCIA)

### **H.B. No. 5251 – AN ACT CONCERNING WORKERS' COMPENSATION FOR DISPATCHERS**

### LABOR COMMITTEE

**March 3, 2022**

The American Property Casualty Insurance Association (APCIA)<sup>1</sup> appreciates the opportunity to comment on House Bill No. 5251, An Act Concerning Workers' Compensation for Dispatchers. With members comprising nearly 60 percent of the U.S. property casualty insurance market, APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association.

APCIA opposes HB 5251 because it would require workers' compensation coverage for certain injuries sustained by telecommunicators which were not sustained in the course of employment. HB 5251 provides that telecommunicators would receive portal to portal workers' compensation coverage. The bill provides that such emergency dispatchers are covered under workers' compensation while traveling from home to work and from work to home under certain circumstances. The bill essentially overturns, for telecommunicators, the bedrock "coming and going" doctrine for determining whether an injury took place "in the course of employment."

Workers' compensation provides no-fault coverage for all workplace injuries, providing the injured workers with prompt indemnity benefits and unlimited medical care, without any co-payment or deductible payment responsibilities for the injured worker, *even in the absence of any fault by the employer*. Such a no-fault system, of course, can only remain stable and financially sound if coverage is limited to workplace injuries. An employer cannot accept no-fault liability for all injuries suffered by an employee, including those that do not arise in the course of employment. It is axiomatic under Connecticut workers' compensation law, and indeed the workers' compensation law of all states, that injuries received when the worker is traveling either from home to work or from work to home are generally not covered because such injuries do not take place in the course of employment. This is basic long-established workers' compensation law, and it is generally settled that work does not begin until the employee arrives for work and ceases when the employee leaves

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<sup>1</sup> Effective January 1, 2019, the American Insurance Association (AIA) and the Property Casualty Insurers Association of America (PCIAA) merged to form the American Property Casualty Insurance Association (APCIA). Representing nearly 60 percent of the U.S. property casualty insurance market, APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, which protect families, communities, and businesses in the U.S. and across the globe.

work. No compelling reason exists to make an exception to this law for telecommunicators and to make their employers responsible for non-work-related injuries.

For the foregoing reasons, APCIA urges your Committee NOT to advance this bill.